

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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**JESSE ORTIZ,**

**Plaintiff,**

**vs.**

**Case No: 2:11-cv-03123-STA-tmp**

**THE HERSHEY COMPANY,**

**Defendant.**

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**MOTION FOR EXTENSION OF TIME TO FILE**

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Comes now, Plaintiff by and through his attorney of record, Linda K. Garner, and moves this court for an extension of time to file its Response to the Defendant's Motion for Summary Judgment from July 20, 2013 to July 23, 2013.

As grounds for this request, counsel would show:

1. That she requires additional time to complete Plaintiff's Response to Defendant's Motion for Summary Judgment because she has just completed and filed a 34 page, Appellant Brief in the 6<sup>th</sup> Circuit Court of Appeals for another client, on July 19, 2013.
2. That subject to the court's approval, in not opposing this extension, Defendant is requesting additional time to file a Reply Brief until Monday, August 6, 2013, rather than August 1, 2013, to which, Plaintiff has no objection.

WHEREFORE, Plaintiff prays:

1. That Plaintiff be allowed until Tuesday, July 23, 2013 to file his Response to Defendant's Motion for Summary Judgment.
2. That the Defendant be allowed until Monday, August 6, 2013 to file its Reply Brief.

Respectfully submitted,

s/ Linda Kendall Garner  
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*Attorney for Plaintiff*

#### **CERTIFICATE OF CONSULTATION**

The Plaintiff has consulted with the Defendant's counsel, Amanda Haverstick and there is no opposition to the form of the Motion.

Certified by: s/ Linda K. Garner

#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and exact copy of the foregoing document was forwarded to Amanda D. Haverstick, and Edna Guerrasio, counsel for the Defendant via the court's ECF notification system, this 19<sup>th</sup> day of July, 2013.

Certified by: s/ Linda K. Garner